



General Assembly

Substitute Bill No. 28

February Session, 2004

* SB00028TRAF IN031004 *

AN ACT CONCERNING COMPLIANCE WITH THE FEDERAL MOTOR CARRIER SAFETY IMPROVEMENT ACT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 14-1 of the general statutes, as
2 amended by section 5 of public act 03-265, is repealed and the
3 following is substituted in lieu thereof (*Effective January 1, 2005*):

4 (a) Terms used in this chapter shall be construed as follows, unless
5 another construction is clearly apparent from the language or context
6 in which the term is used or unless the construction is inconsistent
7 with the manifest intention of the General Assembly:

8 (1) "Activity vehicle" means a student transportation vehicle that is
9 used to transport students in connection with school sponsored events
10 and activities, but is not used to transport students to and from school;

11 ~~[(1)]~~ (2) "Agricultural tractor" means a tractor or other form of
12 nonmuscular motive power used for transporting, hauling, plowing,
13 cultivating, planting, harvesting, reaping or other agricultural
14 purposes on any farm or other private property, or used for the
15 purpose of transporting, from one farm to another, agricultural
16 implements and farm products, provided the agricultural tractor is not
17 used on any highway for transporting a pay load or for some other
18 commercial purpose;

19 [(2)] (3) "Antique, rare or special interest motor vehicle" means a
20 motor vehicle twenty-five years old or older which is being preserved
21 because of historic interest and which is not altered or modified from
22 the original manufacturer's specifications;

23 [(3)] (4) "Apparent candle power" means an illumination equal to
24 the normal illumination in foot candles produced by any lamp or
25 lamps, divided by the square of the distance in feet between the lamp
26 or lamps and the point at which the measurement is made;

27 [(4)] (5) "Authorized emergency vehicle" means (A) a fire
28 department vehicle, (B) a police vehicle, or (C) a public service
29 company or municipal department ambulance or emergency vehicle
30 designated or authorized for use as an authorized emergency vehicle
31 by the commissioner;

32 [(5)] (6) "Auxiliary driving lamp" means an additional lighting
33 device on a motor vehicle used primarily to supplement the general
34 illumination in front of a motor vehicle provided by the motor
35 vehicle's head lamps;

36 [(6)] (7) "Bulb" means a light source consisting of a glass bulb
37 containing a filament or substance capable of being electrically
38 maintained at incandescence;

39 [(7)] (8) "Camp trailer" includes any trailer designed and used
40 exclusively for camping or recreational purposes;

41 [(8)] (9) "Camper" means any motor vehicle designed or
42 permanently altered in such a way as to provide temporary living
43 quarters for travel, camping or recreational purposes;

44 [(9)] (10) "Combination registration" means the type of registration
45 issued to a motor vehicle used for both private passenger and
46 commercial purposes if such vehicle does not have a gross vehicle
47 weight rating in excess of ten thousand pounds;

48 [(10)] (11) "Commercial driver's license" or "CDL" means a license

49 issued to an individual in accordance with the provisions of sections
50 14-44a to 14-44m, inclusive, which authorizes such individual to drive
51 a commercial motor vehicle;

52 (12) "Commercial driver's license information system" or "CDLIS"
53 means the national database of holders of commercial driver's licenses
54 established by the Federal Motor Carrier Safety Administration
55 pursuant to section 12007 of the Commercial Motor Vehicle Safety Act
56 of 1986;

57 [(11)] (13) "Commercial motor vehicle" means a vehicle designed or
58 used to transport passengers or property, except a vehicle used within
59 one hundred fifty miles of a farm in connection with the operation of
60 such farm, fire fighting apparatus or other authorized emergency
61 vehicles, or a recreational vehicle in private use, which (A) has a gross
62 vehicle weight rating of twenty-six thousand and one pounds or more;
63 (B) is designed to transport sixteen or more passengers, including the
64 driver, or is designed to transport more than ten passengers, including
65 the driver, and is used to transport students under the age of twenty-
66 one years to and from school; or (C) is transporting hazardous
67 materials and is required to be placarded in accordance with [the Code
68 of Federal Regulations Title 49, Part] 49 CFR 172, Subpart F, as
69 amended;

70 [(12)] (14) "Commercial registration" means the type of registration
71 required for any motor vehicle designed or used to transport
72 merchandise, freight or persons in connection with any business
73 enterprise, unless a more specific type of registration is authorized and
74 issued by the commissioner for such class of vehicle;

75 [(13)] (15) "Commercial trailer" means a trailer used in the conduct
76 of a business to transport freight, materials or equipment whether or
77 not permanently affixed to the bed of the trailer;

78 [(14)] (16) "Commissioner" includes the Commissioner of Motor
79 Vehicles and any assistant to the Commissioner of Motor Vehicles who
80 is designated and authorized by, and who is acting for, the

81 Commissioner of Motor Vehicles under a designation; except that the
82 deputy commissioners of motor vehicles and the Attorney General are
83 deemed, unless the Commissioner of Motor Vehicles otherwise
84 provides, to be designated and authorized by, and acting for, the
85 Commissioner of Motor Vehicles under a designation;

86 [(15)] (17) "Controlled substance" has the same meaning as in section
87 21a-240, as amended, and the federal laws and regulations
88 incorporated in chapter 420b;

89 [(16)] (18) "Conviction" means an unvacated adjudication of guilt, or
90 a determination that a person has violated or failed to comply with the
91 law in a court of original jurisdiction or an authorized administrative
92 tribunal, an unvacated forfeiture of bail or collateral deposited to
93 secure the person's appearance in court, the payment of a fine or court
94 cost, or violation of a condition of release without bail, regardless of
95 whether or not the penalty is rebated, suspended or probated;

96 [(17)] (19) "Dealer" includes any person actively engaged in buying,
97 selling or exchanging motor vehicles or trailers who has an established
98 place of business in this state and who may, incidental to such
99 business, repair motor vehicles or trailers, or cause them to be repaired
100 by persons in his or her employ;

101 [(18)] (20) "Disqualification" means a withdrawal of the privilege to
102 drive a commercial motor vehicle, which occurs as a result of (A) any
103 suspension, [or] revocation, or cancellation by the commissioner of the
104 privilege to operate a motor vehicle; (B) a determination by the Federal
105 Highway Administration, under the rules of practice for motor carrier
106 safety contained in [the Code of Federal Regulations Title 49, Part] 49
107 CFR 386, as amended, that a person is no longer qualified to operate a
108 commercial motor vehicle under the standards of [the Code of Federal
109 Regulations Title 49, Part] 49 CFR 391, as amended; or (C) the loss of
110 qualification which [automatically] follows any of the convictions or
111 administrative actions specified in section 14-44k, as amended by this
112 act;

113 [(19)] (21) "Drive" means to drive, operate or be in physical control
114 of a motor vehicle, including a motor vehicle being towed by another;

115 [(20)] (22) "Driver" means any person who drives, operates or is in
116 physical control of a commercial motor vehicle, or who is required to
117 hold a commercial driver's license;

118 [(21)] (23) "Driver's license" or "operator's license" means a valid
119 Connecticut motor vehicle operator's license or a license issued by
120 another state or foreign jurisdiction authorizing the holder thereof to
121 operate a motor vehicle on the highways;

122 [(22)] (24) "Employee" means any operator of a commercial motor
123 vehicle, including full-time, regularly employed drivers, casual,
124 intermittent or occasional drivers, drivers under contract and
125 independent, owner-operator contractors, who, while in the course of
126 operating a commercial motor vehicle, are either directly employed by,
127 or are under contract to, an employer;

128 [(23)] (25) "Employer" means any person, including the United
129 States, a state or any political subdivision thereof, who owns or leases
130 a commercial motor vehicle, or assigns a person to drive a commercial
131 motor vehicle;

132 [(24)] (26) "Farm implement" means a vehicle designed and adapted
133 exclusively for agricultural, horticultural or livestock-raising
134 operations and which is not operated on a highway for transporting a
135 pay load or for any other commercial purpose;

136 [(25)] (27) "Felony" means any offense as defined in section 53a-25
137 and includes any offense designated as a felony under federal law;

138 (28) "Fatality" means the death of a person as a result of a motor
139 vehicle accident;

140 [(26)] (29) "Foreign jurisdiction" means any jurisdiction other than a
141 state of the United States;

142 [(27)] (30) "Fuels" means (A) all products commonly or
143 commercially known or sold as gasoline, including casinghead and
144 absorption or natural gasoline, regardless of their classification or uses,
145 (B) any liquid prepared, advertised, offered for sale or sold for use, or
146 commonly and commercially used, as a fuel in internal combustion
147 engines, which, when subjected to distillation in accordance with the
148 standard method of test for distillation of gasoline, naphtha, kerosene
149 and similar petroleum products by "American Society for Testing
150 Materials Method D-86", shows not less than ten per cent distilled
151 (recovered) below 347 Fahrenheit (175 Centigrade) and not less than
152 ninety-five per cent distilled (recovered) below 464 Fahrenheit (240
153 Centigrade); provided the term "fuels" shall not include commercial
154 solvents or naphthas which distill, by "American Society for Testing
155 Materials Method D-86", not more than nine per cent at 176 Fahrenheit
156 and which have a distillation range of 150 Fahrenheit, or less, or
157 liquefied gases which would not exist as liquids at a temperature of 60
158 Fahrenheit and a pressure of 14.7 pounds per square inch absolute,
159 and (C) any liquid commonly referred to as "gasohol" which is
160 prepared, advertised, offered for sale or sold for use, or commonly and
161 commercially used, as a fuel in internal combustion engines, consisting
162 of a blend of gasoline and a minimum of ten per cent by volume of
163 ethyl or methyl alcohol;

164 [(28)] (31) "Garage" includes every place of business where motor
165 vehicles are, for compensation, received for housing, storage or repair;

166 [(29)] (32) "Gross vehicle weight rating" or "GVWR" means the value
167 specified by the manufacturer as the maximum loaded weight of a
168 single or a combination (articulated) vehicle, or its registered gross
169 weight, whichever is greater. The GVWR of a combination (articulated)
170 vehicle commonly referred to as the "gross combination weight rating"
171 or GCWR is the GVWR of the power unit plus the GVWR of the towed
172 unit or units;

173 [(30)] (33) "Gross weight" means the light weight of a vehicle plus
174 the weight of any load on the vehicle, provided, in the case of a tractor-

175 trailer unit, "gross weight" means the light weight of the tractor plus
176 the light weight of the trailer or semitrailer plus the weight of the load
177 on the vehicle;

178 [(31)] (34) "Hazardous materials" has the same meaning as in Section
179 103 of the Hazardous Materials Transportation Act, [Section 1801 et
180 seq., Title 49, United States Code] 49 USC 1801 et seq.;

181 [(32)] (35) "Head lamp" means a lighting device affixed to the front
182 of a motor vehicle projecting a high intensity beam which lights the
183 road in front of the vehicle so that it can proceed safely during the
184 hours of darkness;

185 [(33)] (36) "High-mileage vehicle" means a motor vehicle having the
186 following characteristics: (A) Not less than three wheels in contact with
187 the ground; (B) a completely enclosed seat on which the driver sits; (C)
188 a single or two cylinder, gasoline or diesel engine or an electric-
189 powered engine; and (D) efficient fuel consumption;

190 [(34)] (37) "Highway" includes any state or other public highway,
191 road, street, avenue, alley, driveway, parkway or place, under the
192 control of the state or any political subdivision of the state, dedicated,
193 appropriated or opened to public travel or other use;

194 (38) "Imminent hazard" means the existence of a condition that
195 presents a substantial likelihood that death, serious illness, severe
196 personal injury or a substantial endangerment to health, property, or
197 the environment may occur before the reasonably foreseeable
198 completion date of a formal proceeding begun to lessen the risk of that
199 death, illness, injury or endangerment;

200 [(35)] (39) "Intersecting highway" includes any public highway
201 which joins another at an angle whether or not it crosses the other;

202 [(36)] (40) "Light weight" means the weight of an unloaded motor
203 vehicle as ordinarily equipped and ready for use, exclusive of the
204 weight of the operator of the motor vehicle;

205 [(37)] (41) "Limited access highway" means a state highway so
206 designated under the provisions of section 13b-27;

207 [(38)] (42) "Local authorities" includes the board of aldermen,
208 common council, chief of police, warden and burgesses, board of
209 selectmen or other officials having authority for the enactment or
210 enforcement of traffic regulations within their respective towns, cities
211 or boroughs;

212 [(39)] (43) "Maintenance vehicle" means any vehicle in use by the
213 state or by any town, city, borough or district, any state bridge or
214 parkway authority or any public service company, as defined in
215 section 16-1, as amended, in the maintenance of public highways or
216 bridges and facilities located within the limits of public highways or
217 bridges;

218 [(40)] (44) "Manufacturer" means (A) a person, whether a resident or
219 nonresident, engaged in the business of constructing or assembling
220 new motor vehicles of a type required to be registered by the
221 commissioner, for operation upon any highway, which are offered for
222 sale in this state, or (B) a person who distributes new motor vehicles to
223 new car dealers licensed in this state;

224 [(41)] (45) "Median divider" means an intervening space or physical
225 barrier or clearly indicated dividing section separating traffic lanes
226 provided for vehicles proceeding in opposite directions;

227 [(42)] (45) "Minibike" or "minicycle" means any two or three wheel
228 46 having one or more of the following characteristics: (A) Ten inches
229 (254 mm) or less nominal wheel rim diameter; (B) forty inches or less
230 wheel base; (C) twenty-five inches or less seat height measured at the
231 lowest point on the top of the seat cushion without rider; (D) a
232 propelling engine having a piston displacement of 50 c.c. or less;

233 [(43)] (47) "Modified antique motor vehicle" means a motor vehicle
234 twenty-five years old or older which has been modified for safe road
235 use, including but not limited to, modifications to the drive train,

236 suspension, braking system and safety or comfort apparatus;

237 [(44)] (48) "Motor bus" includes any motor vehicle, except a taxicab,
238 as defined in section 13b-95, as amended, operated in whole or in part
239 on any street or highway in a manner affording a means of
240 transportation by indiscriminately receiving or discharging
241 passengers, or running on a regular route or over any portion of a
242 regular route or between fixed termini;

243 [(45)] (49) "Motor home" means a vehicular unit designed to provide
244 living quarters and necessary amenities which are built into an integral
245 part of, or permanently attached to, a truck or van chassis;

246 [(46)] (50) "Motorcycle" means a motor vehicle, with or without a
247 side car, having not more than three wheels in contact with the ground
248 and a saddle or seat on which the rider sits or a platform on which the
249 rider stands and includes bicycles having a motor attached, except
250 bicycles propelled by means of a helper motor as defined in section
251 14-286, as amended, but does not include a vehicle having or designed
252 to have a completely enclosed driver's seat and a motor which is not in
253 the enclosed area;

254 [(47)] (51) "Motor vehicle" means any vehicle propelled or drawn by
255 any nonmuscular power, except aircraft, motor boats, road rollers,
256 baggage trucks used about railroad stations or other mass transit
257 facilities, electric battery-operated wheel chairs when operated by
258 physically handicapped persons at speeds not exceeding fifteen miles
259 per hour, golf carts operated on highways solely for the purpose of
260 crossing from one part of the golf course to another, golf cart type
261 vehicles operated on roads or highways on the grounds of state
262 institutions by state employees, agricultural tractors, farm implements,
263 such vehicles as run only on rails or tracks, self-propelled snow plows,
264 snow blowers and lawn mowers, when used for the purposes for
265 which they were designed and operated at speeds not exceeding four
266 miles per hour, whether or not the operator rides on or walks behind
267 such equipment, bicycles with helper motors as defined in section 14-

268 286, as amended, special mobile equipment as defined in subsection (i)
269 of section 14-165 and any other vehicle not suitable for operation on a
270 highway;

271 (52) "National Driver Registry" or "NDR" means the licensing
272 information system and database operated by the National Highway
273 Traffic Safety Administration and established pursuant to the National
274 Driver Registry Act of 1982, as amended;

275 ~~[(48)]~~ (53) "New motor vehicle" means a motor vehicle, the equitable
276 or legal title to which has never been transferred by a manufacturer,
277 distributor or dealer to an ultimate consumer;

278 ~~[(49)]~~ (54) "Nonresident" means any person whose legal residence is
279 in a state other than Connecticut or in a foreign country;

280 ~~[(50)]~~ (55) "Nonresident commercial driver's license" or "nonresident
281 CDL" means a commercial driver's license issued by a state to an
282 individual who resides in a foreign jurisdiction;

283 ~~[(51)]~~ (56) "Nonskid device" means any device applied to the tires,
284 wheels, axles or frame of a motor vehicle for the purpose of increasing
285 the traction of the motor vehicle;

286 ~~[(52)]~~ (57) "Number plate" means any sign or marker furnished by
287 the commissioner on which is displayed the registration number
288 assigned to a motor vehicle by the commissioner;

289 ~~[(53)]~~ (58) "Officer" includes any constable, state marshal, inspector
290 of motor vehicles, state policeman or other official authorized to make
291 arrests or to serve process, provided the officer is in uniform or
292 displays the officer's badge of office in a conspicuous place when
293 making an arrest;

294 ~~[(54)]~~ (59) "Operator" means any person who operates a motor
295 vehicle or who steers or directs the course of a motor vehicle being
296 towed by another motor vehicle and includes a driver as defined in
297 subdivision ~~[(20)]~~ (22) of this section;

298 [(55)] (60) "Out-of-service order" means a temporary prohibition
299 against driving a commercial motor vehicle or any other vehicle
300 subject to the federal motor carrier safety regulations enforced by the
301 commissioner pursuant to the commissioner's authority under section
302 14-8;

303 [(56)] (61) "Owner" means any person holding title to a motor
304 vehicle, or having the legal right to register the same, including
305 purchasers under conditional bills of sale;

306 [(57)] (62) "Parked vehicle" means a motor vehicle in a stationary
307 position within the limits of a public highway;

308 [(58)] (63) "Passenger and commercial motor vehicle" means a motor
309 vehicle used for private passenger and commercial purposes which is
310 eligible for combination registration;

311 [(59)] (64) "Passenger motor vehicle" means a motor vehicle used for
312 the private transportation of persons and their personal belongings,
313 designed to carry occupants in comfort and safety, with a capacity of
314 carrying not more than ten passengers including the operator thereof;

315 [(60)] (65) "Passenger registration" means the type of registration
316 issued to a passenger motor vehicle unless a more specific type of
317 registration is authorized and issued by the commissioner for such
318 class of vehicle;

319 [(61)] (66) "Person" includes any individual, corporation, limited
320 liability company, association, copartnership, company, firm, business
321 trust or other aggregation of individuals but does not include the state
322 or any political subdivision thereof, unless the context clearly states or
323 requires;

324 [(62)] (67) "Pneumatic tires" means tires inflated or inflatable with
325 air;

326 [(63)] (68) "Pole trailer" means a trailer which is (A) intended for
327 transporting long or irregularly shaped loads such as poles, logs, pipes

328 or structural members, which loads are capable of sustaining
329 themselves as beams between supporting connections, and (B)
330 designed to be drawn by a motor vehicle and attached or secured
331 directly to the motor vehicle by any means including a reach, pole or
332 boom;

333 [(64)] (69) "Recreational vehicle" includes the camper, camp trailer
334 and motor home classes of vehicles;

335 [(65)] (70) "Registration" includes the certificate of motor vehicle
336 registration and the number plate or plates used in connection with
337 such registration;

338 [(66)] (71) "Registration number" means the identifying number or
339 letters, or both, assigned by the commissioner to a motor vehicle;

340 [(67)] (72) "Resident", for the purpose of registering motor vehicles,
341 includes any person having a place of residence in this state, occupied
342 by such person for more than six months in a year, or any person, firm
343 or corporation owning or leasing a motor vehicle used or operated in
344 intrastate business in this state, or a firm or corporation having its
345 principal office or place of business in this state;

346 [(68)] (73) "School bus" means any school bus, as defined in section
347 14-275, including a commercial motor vehicle used to transport
348 preschool, elementary school or secondary school students from home
349 to school, from school to home, or to and from school-sponsored
350 events, but does not include a bus used as a common carrier;

351 [(69)] (74) "Second" violation or "subsequent" violation means an
352 offense committed not more than three years after the date of an arrest
353 which resulted in a previous conviction for a violation of the same
354 statutory provision, except in the case of a violation of section 14-215,
355 as amended, or 14-224 or subsection (a) of section 14-227a, "second"
356 violation or "subsequent" violation means an offense committed not
357 more than ten years after the date of an arrest which resulted in a
358 previous conviction for a violation of the same statutory provision;

359 [(70)] (75) "Semitrailer" means any trailer type vehicle designed and
360 used in conjunction with a motor vehicle so that some part of its own
361 weight and load rests on or is carried by another vehicle;

362 [(71)] (76) "Serious traffic violation" means a conviction [, when
363 operating a commercial motor vehicle,] of any [violation (A)] of the
364 following offenses: (A) Speeding in excess of fifteen miles per hour or
365 more over the posted speed limit, in violation of section 14-218a or 14-
366 219; [, if the speed was fifteen miles per hour or more over the posted
367 speed limit,] (B) reckless driving in violation of section 14-222; [,] (C)
368 following too closely in violation of section 14-240 or 14-240a; [,] (D)
369 improper or erratic lane changes, in violation of section 14-236; [, or]
370 (E) driving a commercial motor vehicle without a valid commercial
371 driver's license in violation of section 14-36a, as amended by this act, or
372 section 14-44a, as amended by this act; (F) failure to carry a commercial
373 driver's license in violation of section 14-44a, as amended by this act;
374 (G) failure to have the proper class of license or endorsement, or
375 violation of a license restriction in violation of section 14-44a, as
376 amended by this act; or (H) arising in connection with an accident
377 related to the operation of a commercial motor vehicle and which
378 resulted in [the death of any person] a fatality;

379 [(72)] (77) "Service bus" includes any vehicle except a vanpool
380 vehicle or a school bus designed and regularly used to carry ten or
381 more passengers when used in private service for the transportation of
382 persons without charge to the individual;

383 [(73)] (78) "Service car" means any motor vehicle used by a
384 manufacturer, dealer or repairer for emergency motor vehicle repairs
385 on the highways of this state, for towing or for the transportation of
386 necessary persons, tools and materials to and from the scene of such
387 emergency repairs or towing;

388 [(74)] (79) "Shoulder" means that portion of a highway immediately
389 adjacent and contiguous to the travel lanes or main traveled portion of
390 the roadway;

391 [(75)] (80) "Solid tires" means tires of rubber, or other elastic material
392 approved by the Commissioner of Transportation, which do not
393 depend on confined air for the support of the load;

394 [(76)] (81) "Spot lamp" or "spot light" means a lighting device
395 projecting a high intensity beam, the direction of which can be readily
396 controlled for special or emergency lighting as distinguished from
397 ordinary road illumination;

398 [(77)] (82) "State" means any state of the United States and the
399 District of Columbia unless the context indicates a more specific
400 reference to the state of Connecticut;

401 [(78)] (83) "Stop" means complete cessation of movement;

402 [(79)] (84) "Tail lamp" means a lighting device affixed to the rear of a
403 motor vehicle showing a red light to the rear and indicating the
404 presence of the motor vehicle when viewed from behind;

405 [(80)] (85) "Tank vehicle" means any commercial motor vehicle
406 designed to transport any liquid or gaseous material within a tank that
407 is either permanently or temporarily attached to the vehicle or its
408 chassis which shall include, but not be limited to, a cargo tank and
409 portable tank, as defined in [the Code of Federal Regulations Title 49,
410 Section] 49 CFR 383.5, as amended, provided it shall not include a
411 portable tank with a rated capacity not to exceed one thousand gallons;

412 [(81)] (86) "Tractor" or "truck tractor" means a motor vehicle
413 designed and used for drawing a semitrailer;

414 [(82)] (87) "Tractor-trailer unit" means a combination of a tractor and
415 a trailer or a combination of a tractor and a semitrailer;

416 [(83)] (88) "Trailer" means any rubber-tired vehicle without motive
417 power drawn or propelled by a motor vehicle;

418 [(84)] (89) "Truck" means a motor vehicle designed, used or
419 maintained primarily for the transportation of property;

420 [(85)] (90) "Ultimate consumer" means, with respect to a motor
421 vehicle, the first person, other than a dealer, who in good faith
422 purchases the motor vehicle for purposes other than resale;

423 [(86)] (91) "United States" means the fifty states and the District of
424 Columbia;

425 [(87)] (92) "Used motor vehicle" includes any motor vehicle which
426 has been previously separately registered by an ultimate consumer;

427 [(88)] (93) "Utility trailer" means a trailer designed and used to
428 transport personal property, materials or equipment, whether or not
429 permanently affixed to the bed of the trailer, with a manufacturer's
430 GVWR of ten thousand pounds or less;

431 [(89)] (94) "Vanpool vehicle" includes all motor vehicles, the primary
432 purpose of which is the daily transportation, on a prearranged
433 nonprofit basis, of individuals between home and work, and which:
434 (A) If owned by or leased to a person, or to an employee of the person,
435 or to an employee of a local, state or federal government unit or agency
436 located in Connecticut, are manufactured and equipped in such
437 manner as to provide a seating capacity of at least seven but not more
438 than fifteen individuals, or (B) if owned by or leased to a regional ride-
439 sharing organization in the state recognized by the Commissioner of
440 Transportation, are manufactured and equipped in such manner as to
441 provide a seating capacity of at least six but not more than nineteen
442 individuals;

443 [(90)] (95) "Vehicle" includes any device suitable for the conveyance,
444 drawing or other transportation of persons or property, whether
445 operated on wheels, runners, a cushion of air or by any other means.
446 The term does not include devices propelled or drawn by human
447 power or devices used exclusively on tracks;

448 [(91)] (96) "Vehicle identification number" or "VIN" means a series of
449 Arabic numbers and Roman letters that is assigned to each new motor
450 vehicle that is manufactured within or imported into the United States,

451 in accordance with the provisions of [the Code of Federal Regulations,
452 Title 49, Part] 49 CFR 565, unless another sequence of numbers and
453 letters has been assigned to a motor vehicle by the commissioner, in
454 accordance with the provisions of section 14-149, as amended;

455 [(92)] (97) "Wrecker" means a vehicle which is registered, designed,
456 equipped and used for the purposes of towing or transporting
457 wrecked or disabled motor vehicles for compensation or for related
458 purposes by a person, firm or corporation licensed in accordance with
459 the provisions of subpart (D) of part III of this chapter.

460 Sec. 2. Section 14-36 of the general statutes, as amended by section 1
461 of public act 03-171, is repealed and the following is substituted in lieu
462 thereof (*Effective January 1, 2005*):

463 (a) Except as otherwise provided by this section and section 14-40a,
464 as amended, no person shall operate a motor vehicle on any public
465 highway of this state or private road on which a speed limit has been
466 established in accordance with subsection (a) of section 14-218a until
467 such person has obtained a motor vehicle operator's license.

468 (b) (1) A person eighteen years of age or older may operate a motor
469 vehicle without a motor vehicle operator's license if (A) such person
470 has not had a Connecticut motor vehicle operator's license suspended
471 or revoked, and (B) such person is under the instruction of, and
472 accompanied by, a person who holds an instructor's license issued
473 under the provisions of section 14-73 or a person twenty years of age
474 or older who has been licensed to operate, for at least four years
475 preceding the instruction, a motor vehicle of the same class as the
476 motor vehicle being operated and who has not had his or her motor
477 vehicle operator's license suspended by the commissioner during the
478 four-year period preceding the instruction. (2) A person holding a
479 valid out-of-state motor vehicle operator's license may operate a motor
480 vehicle for a period of thirty days following such person's
481 establishment of residence in Connecticut, if the motor vehicle is of the
482 same class as that for which his or her out-of-state motor vehicle

483 operator's license was issued. (3) No person may cause or permit the
484 operation of a motor vehicle by a person under sixteen years of age.

485 (c) (1) On or after January 1, 1997, a person who is sixteen or
486 seventeen years of age and who has not had a motor vehicle operator's
487 license or right to operate a motor vehicle in this state suspended or
488 revoked may apply to the Commissioner of Motor Vehicles for a
489 learner's permit. The commissioner may issue a learner's permit to an
490 applicant after the applicant has passed a vision screening and test as
491 to knowledge of the laws concerning motor vehicles and the rules of
492 the road, has paid the fee required by subsection (v) of section 14-49, as
493 amended, and has filed a certificate, in such form as the commissioner
494 prescribes, requesting or consenting to the issuance of the learner's
495 permit and the motor vehicle operator's license, signed by (A) one or
496 both parents or foster parents of the applicant, as the commissioner
497 requires, (B) the legal guardian of the applicant, (C) the applicant's
498 spouse, if the spouse is eighteen years of age or older, or (D) if the
499 applicant has no qualified spouse and such applicant's parent or foster
500 parent or legal guardian is deceased, incapable, domiciled without the
501 state or otherwise unavailable or unable to sign or file the certificate,
502 the applicant's stepparent, or uncle or aunt by blood or marriage,
503 provided such person is eighteen years of age or older. The
504 commissioner may, for the more efficient administration of the
505 commissioner's duties, appoint any drivers' school licensed in
506 accordance with the provisions of section 14-69, as amended, or any
507 secondary school providing instruction in motor vehicle operation and
508 highway safety in accordance with section 14-36e to issue a learner's
509 permit, subject to such standards and requirements as the
510 commissioner may prescribe in regulations adopted in accordance
511 with chapter 54. Each learner's permit shall expire on the date the
512 holder of the permit is issued a motor vehicle operator's license or on
513 the date the holder attains the age of eighteen years, whichever is
514 earlier. (2) The learner's permit shall entitle the holder, while such
515 holder has the permit in his or her immediate possession, to operate a
516 motor vehicle on the public highways, provided such holder is under

517 the instruction of, and accompanied by, a person who holds an
518 instructor's license issued under the provisions of section 14-73 or a
519 person twenty years of age or older who has been licensed to operate,
520 for at least four years preceding the instruction, a motor vehicle of the
521 same class as the motor vehicle being operated and who has not had
522 his or her motor vehicle operator's license suspended by the
523 commissioner during the four-year period preceding the instruction.
524 The holder of a learner's permit who (A) is an active member of a
525 certified ambulance service, as defined in section 19a-175, (B) has
526 commenced an emergency vehicle operator's course that conforms to
527 the national standard curriculum developed by the United States
528 Department of Transportation, and (C) has had state and national
529 criminal history records checks conducted by the certified ambulance
530 service or by the municipality in which such ambulance service is
531 provided, shall be exempt from the provisions of this subdivision only
532 when such holder is en route to or from the location of the ambulance
533 for purposes of responding to an emergency call. (3) The commissioner
534 may revoke any learner's permit used in violation of the limitations
535 imposed by subdivision (2) of this subsection.

536 (d) (1) No motor vehicle operator's license shall be issued to any
537 applicant who is sixteen or seventeen years of age unless the applicant
538 has held a learner's permit and has satisfied the requirements specified
539 in this subsection. The applicant shall (A) present to the commissioner
540 a certificate of the successful completion in a public secondary school,
541 a state vocational school or a private secondary school of a full course
542 of study in motor vehicle operation prepared as provided in section 14-
543 36e or of training of similar nature provided by a licensed drivers'
544 school approved by the commissioner, including, in each case,
545 successful completion of not less than eight clock hours of behind-the-
546 wheel, on-the-road instruction; (B) present to the commissioner a
547 certificate of the successful completion of a course of not less than eight
548 hours relative to safe driving practices, including a minimum of four
549 hours on the nature and the medical, biological and physiological
550 effects of alcohol and drugs and their impact on the operator of a

551 motor vehicle, the dangers associated with the operation of a motor
552 vehicle after the consumption of alcohol or drugs by the operator, the
553 problems of alcohol and drug abuse and the penalties for alcohol and
554 drug-related motor vehicle violations; and (C) pass an examination
555 which shall include a comprehensive test as to knowledge of the laws
556 concerning motor vehicles and the rules of the road and an on-the-road
557 skills test as prescribed by the commissioner. At the time of application
558 and examination for a motor vehicle operator's license, an applicant
559 sixteen or seventeen years of age shall have held a learner's permit for
560 not less than one hundred eighty days, except that an applicant who
561 presents a certificate under subparagraph (A) of this subdivision shall
562 have held a learner's permit for not less than one hundred twenty days
563 and an applicant who is undergoing training and instruction by the
564 handicapped driver training unit in accordance with the provisions of
565 section 14-11b shall have held such permit for the period of time
566 required by said unit. The Commissioner of Motor Vehicles shall
567 approve the content of the safe driving instruction at drivers' schools,
568 high schools and other secondary schools. Such eight hours of
569 instruction shall be included as part of or in addition to any existing
570 instruction programs. Any fee charged for the course required under
571 subparagraph (B) of this subdivision shall not exceed an amount
572 prescribed by the commissioner by regulation, adopted in accordance
573 with chapter 54. Any applicant sixteen or seventeen years of age who,
574 while a resident of another state, completed the course required in
575 subparagraph (A) of this subdivision, but did not complete the safe
576 driving course required in subparagraph (B) of this subdivision, shall
577 complete the safe driving course, and any fee charged for the course
578 shall not exceed an amount prescribed by the commissioner by
579 regulation, adopted in accordance with chapter 54. The commissioner
580 may waive any requirement in this subdivision, except for that in
581 subparagraph (C) of this subdivision, in the case of an applicant
582 sixteen or seventeen years of age who holds a valid motor vehicle
583 operator's license issued by any other state, provided the
584 commissioner is satisfied that the applicant has received training and
585 instruction of a similar nature. (2) The commissioner may accept as

586 evidence of sufficient training under subparagraph (A) of subdivision
587 (1) of this subsection home training as evidenced by a written
588 statement signed by the spouse of a married minor applicant, or by a
589 parent, grandparent, foster parent or the legal guardian of an applicant
590 which states that the applicant has obtained a learner's permit and has
591 successfully completed a driving course taught by the person signing
592 the statement, that the signer has had an operator's license for at least
593 four years preceding the date of the statement, and that the signer has
594 not had such license suspended by the commissioner for at least four
595 years preceding the date of the statement or, if the applicant has no
596 spouse, parent, grandparent, foster parent or guardian so qualified and
597 available to give the instruction, a statement signed by the applicant's
598 stepparent, brother, sister, uncle or aunt, by blood or marriage,
599 provided the person signing the statement is qualified. (3) If the
600 commissioner requires a written test of any applicant under this
601 section, the test shall be given in English or Spanish at the option of the
602 applicant, provided the commissioner shall require that the applicant
603 shall have sufficient understanding of English for the interpretation of
604 traffic control signs. (4) The Commissioner of Motor Vehicles may
605 adopt regulations, in accordance with the provisions of chapter 54, to
606 implement the purposes of this subsection concerning the content of
607 safe driving instruction at drivers' schools, high schools and other
608 secondary schools.

609 (e) (1) No motor vehicle operator's license shall be issued until (A)
610 the applicant signs and files with the commissioner an application
611 under oath, except that renewals from the year immediately preceding
612 need not be under oath, stating such information as the commissioner
613 requires, and (B) the commissioner is satisfied that the applicant is
614 sixteen years of age or older and is a suitable person to receive the
615 license. (2) An applicant for a new motor vehicle operator's license
616 shall, in the discretion of the commissioner, file, with the application, a
617 copy of such applicant's birth certificate or other prima facie evidence
618 of date of birth and evidence of identity. (3) Before granting a license to
619 any applicant who has not previously held a Connecticut motor

620 vehicle operator's license, or who has not operated a motor vehicle
621 during the preceding two years, the commissioner shall require the
622 applicant to demonstrate personally to the commissioner, a deputy or
623 a motor vehicle inspector or an agent of the commissioner, in such
624 manner as the commissioner directs, that the applicant is a proper
625 person to operate motor vehicles of the class for which such applicant
626 has applied, has sufficient knowledge of the mechanism of the motor
627 vehicles to ensure their safe operation by him or her and has
628 satisfactory knowledge of the laws concerning motor vehicles and the
629 rules of the road. If any such applicant has held a license from a state,
630 territory or possession of the United States where a similar
631 examination is required, or if any such applicant is a person honorably
632 separated from the United States armed forces who applies within two
633 years following the separation and who, prior to the separation, held a
634 military operator's license for motor vehicles of the same class as that
635 for which such applicant has applied, the commissioner may waive
636 part or all of the examination. When the commissioner is satisfied as to
637 the ability and competency of any applicant, the commissioner may
638 issue to such applicant a license, either unlimited or containing such
639 limitations as the commissioner deems advisable, and specifying the
640 class of motor vehicles which the licensee is eligible to operate. (4) If
641 any applicant or operator license holder has any health problem which
642 might affect such person's ability to operate a motor vehicle safely, the
643 commissioner may require the applicant or license holder to
644 demonstrate personally or otherwise establish that, notwithstanding
645 such problem, such applicant or license holder is a proper person to
646 operate a motor vehicle, and the commissioner may further require a
647 certificate of such applicant's condition, signed by a medical authority
648 designated by the commissioner, which certificate shall in all cases be
649 treated as confidential by the commissioner. A license, containing such
650 limitation as the commissioner deems advisable, may be issued or
651 renewed in any case, but nothing in this section shall be construed to
652 prevent the commissioner from refusing a license, either limited or
653 unlimited, to any person or suspending a license of a person whom the
654 commissioner determines to be incapable of safely operating a motor

655 vehicle. Consistent with budgetary allotments, each motor vehicle
656 operator's license issued to or renewed by a deaf or hearing impaired
657 person shall, upon the request of such person, indicate such
658 impairment. Such person shall submit a certificate stating such
659 impairment, in such form as the commissioner may require and signed
660 by a licensed health care practitioner. (5) The issuance of a motor
661 vehicle operator's license to any applicant who is the holder of a
662 license issued by another state shall be subject to the provisions of
663 sections 14-111c and 14-111k, as amended by this act.

664 (f) No person issued a limited license shall operate (1) a motor
665 vehicle in violation of the limitations imposed by such license, or (2)
666 any motor vehicle other than the motor vehicle for which such person's
667 right to operate is limited.

668 (g) Before issuing a motor vehicle operator's license in accordance
669 with this section or section 14-44c, as amended by this act, the
670 commissioner shall request information from the National Driver
671 Registry and the Commercial Driver License Information System, in
672 accordance with the provisions of 49 CFR section 383.73. Each driving
673 history record shall contain a notation of the date on which such
674 inquiry was made.

675 ~~[(g)]~~ (h) Any person who violates any provision of this section shall,
676 for a first offense, be deemed to have committed an infraction and be
677 fined not less than seventy-five dollars nor more than ninety dollars
678 and, for any subsequent offense, shall be fined not less than two
679 hundred fifty dollars nor more than three hundred fifty dollars or be
680 imprisoned not more than thirty days or both.

681 ~~[(h)]~~ (i) The Commissioner of Motor Vehicles may adopt
682 regulations, in accordance with chapter 54, to implement the
683 provisions of this section.

684 Sec. 3. Section 14-36a of the general statutes, as amended by section
685 2 of public act 03-171, is repealed and the following is substituted in
686 lieu thereof (*Effective January 1, 2005*):

687 [(a) In addition to the classification for a commercial driver's license
688 established by section 14-44d, the commissioner shall classify all other
689 motor vehicle operators' licenses according to the types of vehicles
690 which licensees are eligible to operate as follows: (1) Class 1, any motor
691 vehicle, except a commercial motor vehicle; (2) class 2, any motor
692 vehicle, including a combination of motor vehicle and trailer or trailing
693 unit used exclusively for camping or any other recreational purpose
694 regardless of the gross weight of the trailer or trailing unit, except a
695 commercial motor vehicle or an articulated vehicle or any other
696 combination of motor vehicle and trailer where the gross weight of the
697 trailing unit or trailer is more than ten thousand pounds. The
698 commissioner may adopt regulations in accordance with the
699 provisions of chapter 54 establishing such additional classifications,
700 subclassifications and endorsements as he deems necessary. The
701 commissioner shall not issue a class 1 license to any person who has
702 not attained the age of eighteen.]

703 (a) A commercial driver's license issued in accordance with section
704 14-44c, as amended by this act, shall be designated as class A, B or C, in
705 accordance with the provisions of subsection (b) of section 14-44d, as
706 amended by this act. All other operators' licenses shall be designated
707 as class D. A license of any class that also authorizes the operation of a
708 motorcycle shall contain the designation "M".

709 [(b) A class 1 or 2 operator's license which contains the endorsement
710 "P" evidences that the holder meets the requirements of section 14-44
711 to operate a taxicab, motor vehicle in livery service, or service bus that
712 is not used for school transportation purposes. A class 1 or 2
713 operator's]

714 (b) A commercial driver's license which contains the endorsement
715 "S" evidences that the holder meets the requirements of section 14-44,
716 as amended by this act, to operate a [student transportation vehicle, as
717 defined in section 14-212. A class 1 or 2 operator's license which
718 contains the endorsement "M" evidences that the holder meets the
719 requirements of section 14-40a to operate a motorcycle.] school bus or

720 any vehicle described in subsection (c) of this section. A commercial
721 driver's license may contain any of the following additional
722 endorsements:

723 "P"- authorizes the operation of commercial motor vehicles designed
724 to carry passengers;

725 "H"- authorizes the operation of vehicles transporting hazardous
726 materials;

727 "N"- authorizes the operation of tank vehicles;

728 "X"- authorizes both hazardous materials and tank vehicles; and

729 "T"- authorizes the operation of vehicles with up to three trailing,
730 nonpower units.

731 The commissioner may establish one or more restrictions on
732 commercial driver's licenses of any class, in regulations adopted in
733 accordance with the provisions of chapter 54.

734 (c) A commercial driver's license or a class D license that contains
735 any of the following endorsements evidences that the holder meets the
736 requirements of section 14-44, as amended by this act:

737 "V"- authorizes the transportation of passengers in a student
738 transportation vehicle, as defined in section 14-212, or any vehicle that
739 requires an "A" or "F" endorsement;

740 "A"- authorizes the transportation of passengers in an activity
741 vehicle, as defined in section 14-1, as amended by this act, or any
742 vehicle that requires an "F" endorsement; and

743 "F"- authorizes the transportation of passengers in a taxicab, motor
744 vehicle in livery service, service bus or motor bus.

745 The commissioner may establish one or more restrictions on class D
746 licenses, in accordance with regulations adopted in accordance with
747 the provisions of chapter 54.

748 [(c)] (d) No person shall operate a motor vehicle in violation of the
749 classification of the license issued to him.

750 [(d)] (e) Any person who violates any provision of subsection [(c)]
751 (d) of this section shall, for a first offense, be deemed to have
752 committed an infraction and be fined not less than thirty-five dollars
753 nor more than fifty dollars and, for a subsequent offense, shall be fined
754 not more than one hundred dollars or imprisoned not more than thirty
755 days or both.

756 Sec. 4. Section 14-44 of the general statutes, as amended by section
757 37 of public act 03-278, is repealed and the following is substituted in
758 lieu thereof (*Effective January 1, 2005*):

759 (a) (1) No person shall operate a commercial motor vehicle used for
760 passenger transportation on any public highway of this state until he
761 has obtained a commercial driver's license with a passenger
762 endorsement from the commissioner, except a nonresident who holds
763 such license with such endorsement issued by another state. (2) No
764 person shall operate a school bus until he has obtained a commercial
765 driver's license with [a passenger endorsement and] a school bus
766 endorsement, except that a person who holds such a license without
767 such endorsements may operate a school bus without passengers for
768 the purpose of road testing or moving the vehicle. (3) No person shall
769 operate a student transportation vehicle, as defined in section 14-212,
770 activity vehicle taxicab, motor vehicle in livery service, motor bus or
771 service bus until he has obtained an operator's license bearing an
772 endorsement of the appropriate type from the commissioner issued in
773 accordance with the provisions of this section and section 14-36a, as
774 amended by this act.

775 (b) No [public passenger transportation permit or] operator's license
776 bearing an endorsement shall be issued or renewed in accordance with
777 the provisions of this section or section 14-36a, as amended by this act,
778 until the commissioner, or his authorized representative, is satisfied
779 that the applicant is a proper person to receive such [a permit or] an

780 operator's license bearing an endorsement, holds a valid motor vehicle
781 operator's license, or, if necessary for the class of vehicle operated, a
782 commercial driver's license and is at least eighteen years of age. Each
783 applicant for such a permit, an operator's license bearing an
784 endorsement or the renewal of such a license shall furnish the
785 commissioner, or his authorized representative, with satisfactory
786 evidence, which may be required to be under oath, to prove that he has
787 no criminal record, that he has not been convicted of a violation of
788 subsection (a) of section 14-227a within five years of the date of
789 application [, that he has received negative drug test results in two or
790 more urine tests if any such tests were administered within one year of
791 such date] and that no reason exists for a refusal to grant or renew
792 such [a permit or] an operator's license bearing an endorsement. Each
793 applicant for such [a permit,] an operator's license bearing an
794 endorsement [, or the renewal of such a license] shall submit with his
795 application proof satisfactory to the commissioner that he has passed a
796 physical examination which has been taken within ninety days prior to
797 his application, and which is in compliance with safety regulations
798 established from time to time by the United States Department of
799 Transportation. Each applicant for renewal of such license shall
800 present evidence that such applicant is in compliance with the medical
801 qualifications established in 49 CFR 391, as amended. Each applicant
802 for such [a permit or] an operator's license bearing an endorsement
803 shall be fingerprinted before the [permit or the] license bearing an
804 endorsement is issued.

805 (c) The commissioner may issue, withhold, renew, suspend, cancel
806 or revoke, any [passenger or school] endorsement required to operate
807 a motor vehicle that transports passengers, as provided in subsection
808 (c) of section 14-36a, as amended by this act. The commissioner may, in
809 making his decision, consider the age, accident and criminal record,
810 moral character and physical condition of any such applicant or
811 [permittee] endorsement holder and such other matters as the
812 commissioner may determine. The commissioner may require any
813 such applicant or [permittee] endorsement holder to furnish the

814 statements of two or more reputable citizens, which may be required
815 to be under oath, vouching for the good character or other
816 qualifications of the applicant or [permittee] endorsement holder.

817 (d) Upon the arrest of any person who holds an operator's license
818 bearing a school endorsement charged with a felony or violation of
819 section 53a-73a, the arresting officer or department, within forty-eight
820 hours, shall cause a report of such arrest to be made to the
821 commissioner. The report shall be made on a form approved by the
822 commissioner containing such information as the commissioner
823 prescribes. The commissioner may adopt regulations, in accordance
824 with chapter 54, to implement the provisions of this subsection.

825 (e) Prior to issuing an operator's license bearing a school
826 endorsement, the commissioner shall require each applicant to submit
827 to state and national criminal history records checks. The criminal
828 history records checks required pursuant to this subsection shall be
829 conducted in accordance with section 29-17a. If notice of a state
830 criminal history record is received, the commissioner may refuse to
831 issue an operator's license bearing such endorsement and, in such case,
832 shall immediately notify the applicant, in writing, of such refusal.
833 Subject to the provisions of section 46a-80, if notice of a national
834 criminal history record is received, the commissioner may withdraw
835 the operator's license bearing a school endorsement immediately and,
836 in such case, shall immediately notify the holder of such license and
837 the holder's employer, in writing, of such withdrawal.

838 (f) Any applicant who is refused an operator's license bearing an
839 endorsement or the renewal of such a license, or whose operator's
840 license bearing an endorsement or the renewal of such a license is
841 withdrawn or revoked on account of a criminal record, shall be
842 entitled to a hearing if requested in writing within twenty days. The
843 hearing shall be conducted in accordance with the requirements of
844 chapter 54 and the applicant may appeal from the final decision
845 rendered therein in accordance with section 4-183.

846 (g) Violation of any provision of this section shall be an infraction.

847 Sec. 5. Section 14-44a of the general statutes is repealed and the
848 following is substituted in lieu thereof (*Effective January 1, 2005*):

849 (a) No person may drive a commercial motor vehicle on the
850 highways of this state unless the person holds a commercial driver's
851 license issued by this state or another state, with applicable
852 endorsements valid for the vehicle he is driving.

853 (b) The provisions of subsection (a) of this section shall not apply to
854 the holder of a commercial driver's instruction permit when
855 accompanied in the vehicle by the holder of a commercial driver's
856 license.

857 (c) Any person who violates the provisions of subsection (a) of this
858 section shall operate a motor vehicle in violation of the classification of
859 the license issued to him, and shall be subject to the penalties provided
860 in subsection [(d)] (e) of section 14-36a, as amended by this act, and
861 section 14-44k, as amended by this act.

862 Sec. 6. Section 14-44c of the general statutes is repealed and the
863 following is substituted in lieu thereof (*Effective January 1, 2005*):

864 (a) The application for a commercial driver's license or commercial
865 driver's instruction permit, shall include the following:

866 (1) The full name and current mailing and residence address of the
867 person;

868 (2) A physical description of the person, including sex, height and
869 eye color;

870 (3) Date of birth;

871 (4) The applicant's Social Security number;

872 (5) The person's color picture, to be taken by the commissioner or
873 his representative;

874 (6) The person's statement, under oath, that he meets the
875 requirements for qualification contained in [the Code of Federal
876 Regulations Title 49, Part] 49 CFR 391, as amended, or does not expect
877 to operate in interstate or foreign commerce;

878 (7) The person's statement, under oath, that the type of vehicle in
879 which the person has taken or intends to take the driving skills test is
880 representative of the type of motor vehicle the person operates or
881 intends to operate;

882 (8) The person's statement, under oath, that he is not subject to
883 disqualification, suspension, [or] revocation or cancellation of
884 operating privileges in any state, and that he does not hold an
885 operator's license in any other state;

886 (9) The person's identification of all states in which such person has
887 been licensed to drive any type of motor vehicle during the last ten
888 years, and the person's statement, under oath that he does not hold an
889 operator's license in any other state; and

890 ~~[(9)]~~ (10) The person's signature, and certification of the accuracy
891 and completeness of the application, subject to the penalties of false
892 statement under section 53a-157b. The application shall be
893 accompanied by the fee prescribed in section 14-44h, as amended by
894 this act.

895 (b) No person who has been a resident of this state for thirty days
896 may drive a commercial motor vehicle under the authority of a
897 commercial driver's license issued by another jurisdiction.

898 (c) In addition to other penalties provided by law, any person who
899 knowingly falsifies information or certifications required under
900 subsection (a) of this section shall have his operator's license or
901 privilege to operate a motor vehicle in this state suspended for sixty
902 days.

903 Sec. 7. Subsection (b) of section 14-44d of the general statutes is

904 repealed and the following is substituted in lieu thereof (*Effective*
905 *January 1, 2005*):

906 (b) A commercial driver's license shall be [a Class 1 license] issued
907 with the following [subclassifications, endorsements and restrictions.
908 Vehicles which require an endorsement may not be driven unless the
909 proper endorsement appears on the license.] classifications:

910 [(1) Subclassifications.]

911 [(A)] (1) Class A -Any combination of vehicles with a gross vehicle
912 weight rating (GVWR) of twenty-six thousand one pounds or more,
913 provided the GVWR of the vehicle being towed is in excess of ten
914 thousand pounds.

915 [(B)] (2) Class B -Any single vehicle with a GVWR of twenty-six
916 thousand one pounds or more, and any such vehicle towing a vehicle
917 not in excess of ten thousand pounds.

918 [(C)] (3) Class C -Any single vehicle with a GVWR of less than
919 twenty-six thousand one pounds or any such vehicle towing a vehicle
920 with a GVWR not in excess of ten thousand pounds comprising:

921 [(i)] (A) Vehicles designed to transport sixteen or more passengers,
922 including the driver, or designed to transport more than ten
923 passengers, including the driver, and used to transport students under
924 the age of twenty-one years to and from school; and

925 [(ii)] (B) Vehicles used to transport hazardous materials which are
926 required to be placarded in accordance with [the Code of Federal
927 Regulations, Title 49, Part] 49 CFR 172, Subpart F, as amended.

928 Any vehicle that requires an endorsement, in accordance with the
929 provisions of this section and section 14-36a, as amended by this act,
930 shall not be driven unless the proper endorsement appears on the
931 license.

932 [(2) Endorsements and restrictions.

933 "H" -Authorizes the driver to drive a vehicle transporting hazardous
934 materials;

935 "L" -Restricts the driver to vehicles not equipped with air brakes;

936 "T" -Authorizes driving double and triple trailers, and vehicles in
937 drive-away service using the technique of saddlemounting;

938 "P" -Authorizes driving commercial motor vehicles carrying
939 passengers;

940 "S" -Authorizes driving commercial motor vehicles carrying
941 passengers, including school buses;

942 "N" -Authorizes driving tank vehicles;

943 "X" -Represents a combination of hazardous materials and tank
944 vehicle endorsements;

945 "Z" -Restricts the driver to school buses.]

946 Sec. 8. Section 14-44e of the general statutes is repealed and the
947 following is substituted in lieu thereof (*Effective January 1, 2005*):

948 (a) The commissioner shall not issue a commercial driver's license to
949 any person unless such person is a resident of this state and has passed
950 a knowledge and skills test for driving a commercial motor vehicle
951 which complies with the minimum federal standards established by
952 [the Code of Federal Regulations Title 49, Part] 49 CFR 383, Subparts G
953 and H, as amended, and has satisfied all other requirements of this
954 section and sections 14-44b, 14-44c, as amended by this act, and 14-44g,
955 as amended by this act, in addition to other requirements for an
956 operator's license imposed by the general statutes and regulations of
957 the commissioner.

958 (b) The commissioner shall not issue a commercial driver's license to
959 any person who has a physical or psychobehavioral impairment that
960 affects such person's ability to operate a commercial motor vehicle

961 safely. In determining whether to issue a commercial driver's license in
962 any individual case, the commissioner shall apply the standards set
963 forth in [the Code of Federal Regulations Title 49, Section] 49 CFR
964 391.41, as amended, unless it is established that the person will operate
965 such vehicle only in this state, in which case the commissioner shall
966 apply the standards set forth in this chapter and in regulations
967 adopted thereunder. Any person who is denied a commercial driver's
968 license, or whose license is suspended, [or] revoked or cancelled
969 pursuant to this subsection shall be granted an opportunity for a
970 hearing in accordance with the provisions of chapter 54.

971 (c) The commissioner may waive the skills test required under
972 subsection (a) of this section in the case of an applicant for a
973 commercial driver's license who meets the requirements of [the Code
974 of Federal Regulations Title 49, Section] 49 CFR 383.77, as amended or,
975 in the case of an applicant for a school bus endorsement who meets the
976 requirements of 49 CFR 383.123, as amended.

977 (d) A commercial driver's license shall not be issued to any person
978 subject to disqualification from driving a commercial motor vehicle or
979 subject to suspension, [or] revocation or cancellation of operating
980 privileges in any state. Each applicant for an endorsement to drive a
981 vehicle transporting hazardous materials shall be subject to the
982 requirements of 49 USC 5103a, as administered by the United States
983 Transportation Security Administration. The commissioner may refuse
984 to issue a hazardous materials endorsement, or may suspend or revoke
985 any such endorsement, held by any person who is the subject of a
986 notification received from the Transportation Security Administration,
987 in accordance with the provisions of 49 CFR 1572.5, as amended.

988 (e) An operator's license shall not be issued to any person who holds
989 an operator's license issued by any other state, unless such person first
990 surrenders such license or licenses to the commissioner. The
991 commissioner shall return every license surrendered hereunder to the
992 issuing state for cancellation.

993 (f) The commissioner may issue a commercial driver's instruction
994 permit to any person who holds a valid operator's license. Said permit
995 may not be issued for a period to exceed six months. Only one renewal
996 or reissuance may be granted within a two-year period. The holder of a
997 commercial driver's instruction permit, may, unless otherwise
998 disqualified, drive a commercial motor vehicle only when
999 accompanied by the holder of a commercial driver's license with
1000 appropriate endorsements for the type of vehicle being driven who
1001 occupies a seat beside the individual for the purpose of giving
1002 instruction in driving the commercial motor vehicle.

1003 Sec. 9. Section 14-44g of the general statutes is repealed and the
1004 following is substituted in lieu thereof (*Effective January 1, 2005*):

1005 (a) Before issuing a commercial driver's license, the commissioner
1006 shall obtain driving record information concerning each applicant
1007 through the Commercial Driver License Information System, the
1008 National Driver Registry and from each state in which the applicant
1009 has been licensed during the preceding [five] ten years.

1010 (b) Within ten business days after issuing a commercial driver's
1011 license, the commissioner shall notify the Commercial Driver License
1012 Information System of such fact, and shall provide all information
1013 necessary for the identification of the license holder.

1014 (c) A commercial driver's license issued pursuant to section 14-44e,
1015 as amended by this act, shall expire as provided in section 14-44h, as
1016 amended by this act.

1017 (d) Each person applying for the renewal of a commercial driver's
1018 license shall complete a renewal application form providing an update
1019 and, if necessary, corrections to the information required on the
1020 original application, pursuant to section 14-44c, as amended by this
1021 act. If an applicant for renewal wishes to retain a hazardous materials
1022 endorsement, he must pass the written test for such endorsement, and
1023 must meet the requirements of subsection (d) of section 14-44e, as
1024 amended by this act.

1025 Sec. 10. Subsection (a) of section 14-44h of the general statutes is
1026 repealed and the following is substituted in lieu thereof (*Effective*
1027 *January 1, 2005*):

1028 (a) Each commercial driver's license shall be renewed [every six
1029 years] quadrennially on the date of the operator's birthday. On and
1030 after January 1, 2005, each applicant shall, at the time of the first
1031 renewal of such commercial driver's license, provide the names of all
1032 states in which the applicant ever has been issued a motor vehicle
1033 operator's license. If the applicant has held a license in another state at
1034 any time during the preceding ten years, the commissioner shall
1035 request the driving history record or records from the state or states in
1036 which the applicant has been licensed. If the commissioner receives a
1037 request for a driving history record from another state regarding the
1038 holder of a commercial driver's license, the commissioner shall
1039 provide such record within thirty days, as required by the provisions
1040 of 49 CFR 384.206, as amended.

1041 Sec. 11. Subsection (g) of section 14-44j of the general statutes is
1042 repealed and the following is substituted in lieu thereof (*Effective*
1043 *January 1, 2005*):

1044 (g) (1) Any person who violates any provision of this section shall
1045 be deemed to have committed an infraction, and, for any subsequent
1046 offense, shall be fined not more than five hundred dollars.

1047 (2) Any employer which knowingly permits or requires a driver to
1048 operate a commercial motor vehicle in violation of an out-of-service
1049 order shall be subject to a civil penalty of not less than two thousand
1050 [five] seven hundred fifty dollars nor more than [ten] eleven thousand
1051 dollars.

1052 Sec. 12. Section 14-44k of the general statutes, as amended by section
1053 38 of public act 03-278, is repealed and the following is substituted in
1054 lieu thereof (*Effective January 1, 2005*):

1055 (a) A driver who is disqualified or subject to an out-of-service order

1056 shall not drive a commercial motor vehicle. An employer shall not
1057 knowingly permit or require a driver who is disqualified to drive a
1058 commercial motor vehicle.

1059 (b) In addition to any other penalties provided by law, and except as
1060 provided in [subsection (d)] subdivision (2) of this [section] subsection,
1061 a person is disqualified from operating a commercial motor vehicle (1)
1062 for one year if convicted of one violation of (A) operating any motor
1063 vehicle under the influence of intoxicating liquor or drugs or both
1064 under section 14-227a, as amended, (B) refusing to submit to a test to
1065 determine his blood alcohol concentration while operating any motor
1066 vehicle, or has failed such test when given, in violation of section 14-
1067 227b, as amended, (C) operating a commercial motor vehicle while
1068 having a blood alcohol concentration of four-hundredths of one per
1069 cent, or more, (D) evasion of responsibility, involving a commercial
1070 motor vehicle, under section 14-224, [or (C)] (E) using [a commercial]
1071 any motor vehicle in the commission of any felony, as defined in
1072 section 14-1, as amended by this act, [(2) for sixty days if convicted of
1073 one violation of section 14-249 or 14-250, (3) for one hundred twenty
1074 days if convicted of a second violation of section 14-249 or 14-250, and
1075 (4) for one year if convicted of a third or subsequent violation of
1076 section 14-249 or 14-250 during any three-year period] (F) operating a
1077 commercial motor vehicle while the operator's commercial driver's
1078 license is revoked, suspended or cancelled, or the operator is
1079 disqualified from operating a commercial motor vehicle, or (G) causing
1080 a fatality through the negligent or reckless operation of a commercial
1081 motor vehicle, as evidenced by a conviction of a violation of section
1082 53a-56b, 53a-57, 53a-60d or 14-222a, and (2) for three years if a person
1083 commits any of the disqualifying offenses identified in subdivision (1)
1084 of this subsection while driving a vehicle transporting hazardous
1085 materials, required to be placarded under the Hazardous Materials
1086 Transportation Act, 49 USC 1801 to 1813, inclusive, as amended.

1087 (c) In addition to any other penalties provided by law, a person is
1088 disqualified from operating a commercial motor vehicle for [one year if
1089 the commissioner finds that such person has refused to submit to a test

1090 to determine his blood alcohol concentration while driving a
1091 commercial motor vehicle, or has failed such a test when given,
1092 pursuant to the provisions of section 14-227b. For the purpose of this
1093 subsection, a person shall be deemed to have failed such a test if the
1094 ratio of alcohol in the blood of such person was four-hundredths of
1095 one per cent or more of alcohol, by weight] a period of not less than
1096 sixty days if convicted of two serious traffic violations, as defined in
1097 section 14-1, as amended by this act, or one hundred twenty days if
1098 convicted of three serious traffic violations, committed in any motor
1099 vehicle arising from separate incidents occurring within a three-year
1100 period.

1101 [(d) If a person commits any of the disqualifying offenses identified
1102 in subsections (b) and (c) of this section while driving a vehicle
1103 transporting hazardous materials, required to be placarded under the
1104 Hazardous Materials Transportation Act, Sections 1801 to 1813,
1105 inclusive, Title 49, United States Code, such person shall be
1106 disqualified for a period of three years.]

1107 (d) In addition to any other penalties provided by law, a person is
1108 disqualified from operating a commercial motor vehicle (1) for a
1109 period of sixty days if convicted of failure to stop at a railroad grade
1110 crossing, in violation of section 14-249 or 14-250, as amended by this
1111 act, while operating a commercial motor vehicle, (2) for one hundred
1112 twenty days if convicted of a second violation of section 14-249 or 14-
1113 250, as amended by this act, while operating a commercial motor
1114 vehicle, and (3) for one year if convicted of a third or subsequent
1115 violation of section 14-249 or 14-250, as amended by this act, while
1116 operating a commercial motor vehicle, during any three-year period.

1117 (e) Any person who uses [a commercial] any motor vehicle in the
1118 commission of a felony involving the manufacture, distribution or
1119 dispensing of a controlled substance shall be disqualified for life.

1120 (f) A person is disqualified for life if [convicted of] such person
1121 commits two or more [violations of any] of the offenses specified in

1122 subsection (b) of this section [, or if he is the subject of two or more
1123 findings by the commissioner under subsection (c) of this section,] or
1124 any combination of those offenses, arising from two or more separate
1125 incidents. A person is disqualified for life if the commissioner takes
1126 suspension actions against such person for two or more alcohol test
1127 refusals or test failures, or any combination of such actions, arising
1128 from two or more separate incidents. Any person disqualified for life,
1129 except a person disqualified under subsection (e) of this section, who
1130 has both voluntarily enrolled in and successfully completed an
1131 appropriate rehabilitation program, as determined by the
1132 commissioner, may apply for reinstatement of his commercial driver's
1133 license, provided any such applicant shall not be eligible for
1134 reinstatement until such time as he has served a minimum
1135 disqualification period of ten years. Should a reinstated driver be
1136 subsequently convicted of another disqualifying offense, he shall be
1137 permanently disqualified for life and shall be ineligible to reapply for a
1138 reduction of the lifetime disqualification.

1139 (g) (1) Except as provided in subdivision (2) of this subsection, any
1140 person who violates an out-of-service order shall be disqualified from
1141 operating a commercial motor vehicle: (A) For a period of not less than
1142 ninety days nor more than one year for a first violation; (B) for a period
1143 of not less than one year nor more than five years for a second
1144 violation during any ten-year period, where such violations arose from
1145 separate incidents; and (C) for a period of not less than three years nor
1146 more than five years for a third or subsequent violation during any
1147 ten-year period, where such violations arose from separate incidents.

1148 (2) Any person who violates an out-of-service order while driving a
1149 vehicle transporting hazardous materials, required to be placarded
1150 under the Hazardous Materials Transportation Act, [Sections 1801 to
1151 1813, inclusive, Title 49, United States Code] 49 USC 1801 to 1813,
1152 inclusive, or a commercial motor vehicle designed to transport [fifteen]
1153 sixteen or more passengers, including the driver, shall be disqualified
1154 from operating a commercial motor vehicle: (A) For a period of not less
1155 than one hundred eighty days nor more than two years for a first

1156 violation and (B) for a period of not less than three years nor more than
1157 five years for a second or subsequent violation during any ten-year
1158 period, where such violations arose from separate incidents.

1159 (3) In addition to the penalties provided in subdivision (1) or (2) of
1160 this subsection, any person who violates an out-of-service order shall
1161 be subject to a civil penalty of not less than one thousand one hundred
1162 dollars nor more than two thousand [five] seven hundred fifty dollars.

1163 [(h) A person is disqualified from driving a commercial motor
1164 vehicle for a period of not less than sixty days if convicted of two
1165 serious traffic violations, or one hundred twenty days if convicted of
1166 three serious traffic violations, committed in a commercial motor
1167 vehicle arising from separate incidents occurring within a three-year
1168 period.]

1169 (h) Any holder of a commercial driver's license whose driving is
1170 determined by the Federal Motor Carrier Safety Administration to
1171 constitute an imminent hazard, as defined section 14-1, as amended by
1172 this act, shall be disqualified from operating a commercial motor
1173 vehicle. The period of disqualification may not exceed thirty days
1174 unless the commissioner is satisfied that the Federal Motor Carrier
1175 Safety Administration has complied with the procedures for review
1176 and hearing set forth in 49 CFR 383.52.

1177 (i) After taking disqualification action, or suspending, [or] revoking
1178 or cancelling a commercial driver's license, the commissioner shall
1179 update his records to reflect such action within ten days. After taking
1180 disqualification action, or suspending, [or] revoking or cancelling the
1181 operating privileges of a commercial driver who is licensed in another
1182 state, the commissioner shall notify the licensing state of his action
1183 within ten days. Such notification shall identify the violation that
1184 caused such disqualification, suspension, cancellation or revocation.

1185 Sec. 13. Section 14-111h of the general statutes is repealed and the
1186 following is substituted in lieu thereof (*Effective July 1, 2004*):

1187 As used in sections 14-111h to 14-111q, inclusive, the following
1188 terms and their derivatives shall have the following meanings:

1189 (1) "Administrative action" means a final determination by a duly
1190 authorized administrative agency that a person has violated laws
1191 related to the operation of a motor vehicle, or that a person is incapable
1192 of safely operating a motor vehicle;

1193 (2) "Citation" means any summons, complaint or other official
1194 document issued to a person by a duly authorized law enforcement
1195 officer or judicial official for any violation relating to conduct to be
1196 reported under the driver license agreement;

1197 (3) "Conviction" shall have the meaning stated in [subdivision (16)
1198 of subsection (a) of] section 14-1, as amended by this act, and shall
1199 include a judgment by default, or in absentia;

1200 (4) "Driver control record" means the driving history record
1201 maintained by the jurisdiction of record in accordance with the driver
1202 license agreement;

1203 (5) "Failure to comply" means failure to appear or to answer a
1204 citation in the manner required by law or the failure to pay fines,
1205 penalties or costs related to the disposition of the violation for which
1206 the citation has been issued;

1207 (6) "Identification card" means a nondriver identity card issued in
1208 accordance with the provisions of section 1-1h, as amended;

1209 [(6)] (7) "Jurisdiction" means a state, territory or possession of the
1210 United States, the District of Columbia, a territory or province of
1211 Canada or any state of the Republic of Mexico or the federal district of
1212 Mexico;

1213 [(7)] (8) "Jurisdiction of record" means the jurisdiction that has
1214 issued the last driver's license to a person or if the person has not been
1215 issued a driver's license, the jurisdiction of the person's most current
1216 address, as shown on the citation, or record of conviction or on any

1217 associated report;

1218 [(8)] (9) "License", "driver's license" or "operator's license" means an
1219 authorization or privilege to operate a motor vehicle in accordance
1220 with the laws of a jurisdiction that is recognized by all member
1221 jurisdictions;

1222 [(9)] (10) "Licensing authority" means the official organization or
1223 entity responsible for administering the driver licensing laws of a
1224 member jurisdiction, and with reference to this state, means the
1225 Commissioner of Motor Vehicles;

1226 [(10)] (11) "Member jurisdiction" means a jurisdiction that has
1227 entered into the driver license agreement; and

1228 [(11)] (12) "Withdrawal" means the suspension, revocation,
1229 cancellation or denial of a license or motor vehicle registration or of the
1230 privilege to operate a motor vehicle or to obtain a license or
1231 registration.

1232 Sec. 14. Section 14-111j of the general statutes is repealed and the
1233 following is substituted in lieu thereof (*Effective July 1, 2004*):

1234 This state and the other party states to the driver license agreement
1235 find and declare that:

1236 (1) Each driver shall have one driver's license issued by a
1237 jurisdiction, that is recognized by all member jurisdictions, and shall
1238 have one driver control record;

1239 (2) All efforts shall be made to strengthen cooperation among
1240 member jurisdictions so that all drivers are required to answer charges
1241 of violation of motor vehicle and traffic laws, and to comply with the
1242 procedures for the disposition of such charges, regardless of the
1243 jurisdiction where any such violation occurs;

1244 (3) Reciprocal recognition of driver's licenses and of motor vehicle
1245 and traffic violations related to highway safety shall be facilitated, for

1246 the benefit of all member jurisdictions;

1247 (4) Compliance by each driver with all provisions of law pertaining
1248 to the safe operation of a motor vehicle shall be required as a condition
1249 to the issuance and to the retention of a driver's license;

1250 (5) Conviction of a driver or owner for any motor vehicle and traffic
1251 violation related to highway safety in any jurisdiction shall be treated
1252 as if the violation had occurred in the jurisdiction of record, for the
1253 purpose of maintaining the driver control record and of imposing
1254 administrative sanctions, as authorized by law;

1255 (6) All drivers shall be allowed to proceed on their way and shall
1256 not be required to appear in person before a court or other tribunal,
1257 regardless of their jurisdiction of record, after having been issued a
1258 citation for certain motor vehicle and traffic violations;

1259 (7) All efforts shall be made to achieve greater uniformity among all
1260 member jurisdictions concerning identification and verification
1261 requirements for the issuance of a driver's license or identification
1262 card;

1263 [(7)] (8) All efforts shall be made to achieve greater uniformity
1264 among all member jurisdictions regarding the exchange of information
1265 on drivers, licenses, and driver control records, including convictions
1266 of violations and license withdrawal actions; [and]

1267 (9) All member jurisdictions wish to adhere to all applicable laws
1268 that protect the privacy of personal information that is contained in
1269 driver licensing records, and that is used in exchange of such records;
1270 and

1271 [(8)] (10) All member jurisdictions shall act in the best interests of
1272 highway safety and in a spirit of mutual cooperation to attain and
1273 monitor compliance with the driver license agreement and to resolve
1274 any dispute that may arise, at the administrative agency level of
1275 authority and decision-making.

1276 Sec. 15. Section 14-111k of the general statutes, as amended by
1277 section 11 of public act 03-171, is repealed and the following is
1278 substituted in lieu thereof (*Effective January 1, 2005*):

1279 (a) Upon application for a motor vehicle operator's license or
1280 identification card, the Commissioner of Motor Vehicles shall verify
1281 the identity of the applicant in accordance with the rules prescribed by
1282 the operator's license agreement, as set forth in regulations adopted by
1283 the commissioner, in accordance with the provisions of chapter 54, and
1284 shall determine whether the applicant has ever held, or is the holder
1285 of, a license issued by any other jurisdiction. The commissioner shall
1286 not issue a license to any applicant whose license is withdrawn in any
1287 other member jurisdiction for any conviction or administrative action
1288 required to be reported under the driver license agreement, as
1289 evidenced by the driver control record. The commissioner shall not
1290 issue a license to any applicant who is the subject of a notice of failure
1291 to comply, as reported by any other member jurisdiction. If the
1292 applicant is the holder of any unexpired license issued by another
1293 jurisdiction, the commissioner shall not issue a license unless the
1294 applicant surrenders such license document previously issued by such
1295 jurisdiction.

1296 (b) Notwithstanding the provisions of subsection (a) of this section,
1297 the commissioner may issue [a class 1 or class 2] an operator's license
1298 to an applicant who is the subject of a withdrawal of a commercial
1299 driver's license in any other member jurisdiction if the conduct on
1300 which such withdrawal is based would not have resulted in the
1301 withdrawal of the privilege to operate any motor vehicle other than a
1302 commercial motor vehicle.

1303 (c) Notwithstanding the provisions of subsection (a) of this section,
1304 the commissioner may issue a motor vehicle operator's license to (1) an
1305 applicant who is the subject of a withdrawal that occurred five years or
1306 more before the date of application, or (2) an applicant whose license
1307 has been withdrawn for the period of time required by the jurisdiction
1308 of record, but whose license has not been returned or restored by such

jurisdiction due to the failure or the alleged failure to fulfill reinstatement requirements, pertaining to the filing of proof of financial responsibility or necessitating personal attendance in such jurisdiction including, but not limited to, a requirement to complete an education or treatment program. In exercising the discretion to grant or deny an application for a license as conferred by the provisions of this subsection, the commissioner shall review and consider the entire driver control record of the applicant, and may require additional information and references from the applicant such as will attest to the applicant's present fitness and capability to safely operate a motor vehicle.

(d) If the commissioner issues an identification card to a person who holds an operator's license issued by another jurisdiction, the commissioner shall report to such jurisdiction within thirty days the name of such person and such other information concerning such person and such identification card as is (1) required by the operator's license agreement, and (2) set forth in regulations adopted by the commissioner, in accordance with the provisions of chapter 54.

Sec. 16. Section 14-163c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2005*):

(a) The Commissioner of Motor Vehicles may adopt regulations, in accordance with the provisions of chapter 54, which incorporate by reference the standards set forth in [the Code of Federal Regulations, Title 49, Parts 382, 383 and 385 through 397] 49 CFR 382 to 397, inclusive, as amended. Such regulations, adopted by reference to the provisions of [the Code of Federal Regulations, Title 49, Parts 382, 383 and 385 through 397] 49 CFR 382 to 397, inclusive, as amended, may be made applicable to any motor vehicle or motor carrier, as defined in 49 CFR 390, which (1) is in intrastate commerce and has a gross vehicle weight rating or gross combination weight rating of eighteen thousand one or more pounds; or (2) is in interstate commerce and has a gross vehicle weight rating or gross combination weight rating of ten thousand one or more pounds; or (3) is designed to transport more

1342 than fifteen passengers, including the driver; or (4) is used in the
1343 transportation of hazardous materials in a quantity requiring
1344 placarding under the Hazardous Materials Transportation Act, 49 USC
1345 App. [1801-1813] 1801 to 1813, inclusive, unless exempted under the
1346 provisions of the code or the provisions of subsection (b) of this
1347 section.

1348 (b) The provisions relative to maximum driving and on-duty time as
1349 set forth in [the Code of Federal Regulations, Title 49, Part 395, Section]
1350 49 CFR 395.3, and as adopted by reference in regulations adopted
1351 pursuant to subsection (a) of this section, shall not apply to any public
1352 service company vehicle with a commercial registration when such
1353 vehicle is used to transport passengers or property to or from any
1354 portion of the state for the purpose of relief or assistance in case of
1355 major loss of utility service or to any motor carrier or driver operating
1356 a vehicle with a commercial registration when such vehicle is used to
1357 provide emergency relief during an emergency in accordance with the
1358 provisions of [Title 49, Section 390.23 of said code] 49 CFR 390.23. For
1359 the purposes of this subsection, (1) "emergency" means any hurricane,
1360 tornado, storm including a thunderstorm, snowstorm, ice storm,
1361 blizzard or sandstorm, high water, wind-driven water, tidal wave,
1362 tsunami, earthquake, volcanic eruption, mud slide, drought, forest fire,
1363 explosion, blackout or other occurrence, natural or man-made, which
1364 interrupts the delivery of essential services including electricity,
1365 medical care, sewer, water, telecommunications and
1366 telecommunication transmissions or essential supplies including food
1367 and fuel or otherwise immediately threatens human life or public
1368 welfare, provided such hurricane, tornado or other event results in: (A)
1369 A declaration of an emergency by the President of the United States,
1370 the Governor, or their authorized representatives having authority to
1371 declare emergencies, by the regional director of motor carriers for the
1372 region in which the occurrence happens or by other federal, state or
1373 local government officials having authority to declare emergencies, or
1374 (B) a request by a police officer for tow trucks to move wrecked or
1375 disabled motor vehicles, and (2) "emergency relief" means an operation

1376 in which a motor carrier or driver of a commercial motor vehicle is
1377 providing direct assistance to supplement state and local efforts and
1378 capabilities to save lives or property or to protect public health and
1379 safety as a result of an emergency.

1380 (c) The Commissioner of Motor Vehicles may grant variations or
1381 exemptions from, or approve equivalent or alternate compliance with,
1382 particular provisions of [the Code of Federal Regulations, Title 49,
1383 Parts 382, 383 and 385 through 397] 49 CFR 382 to 397, inclusive, as
1384 amended, when strict compliance with such provisions would entail
1385 practical difficulty or unnecessary hardship or would be otherwise
1386 adjudged unwarranted, provided any such variation, exemption,
1387 approved equivalent or alternate compliance shall, in the opinion of
1388 the commissioner, secure the public safety.

1389 (d) Any state or municipal police officer or motor vehicle inspector
1390 may (1) inspect any motor vehicle specified in subsection (a) of this
1391 section in operation and examine its operator to determine compliance
1392 with the provisions of [the Code of Federal Regulations, Title 49, Parts
1393 382, 383 and 385 through 397] 49 CFR 382 to 397, inclusive, as
1394 amended, (2) enter upon the premises of any motor carrier, as defined
1395 in [the Code of Federal Regulations, Title 49, Section] 49 CFR 390.5, as
1396 amended, for the purpose of inspecting records maintained by such
1397 carrier, (3) conduct a safety rating procedure, in accordance with the
1398 provisions of [the Code of Federal Regulations, Title 49, Part] 49 CFR
1399 385, as amended, for any motor carrier that owns or operates any
1400 motor vehicle identified in subsection (a) of this section, (4) declare a
1401 motor vehicle or its operator out of service as provided in [the Code of
1402 Federal Regulations, Title 49, Sections] 49 CFR 395.13 and 396.9, as
1403 amended, or (5) issue an infractions complaint under the provisions of
1404 this section, provided such officer or inspector meets the standards
1405 established by the commissioner, in consultation with the
1406 Commissioner of Public Safety, in regulations adopted in accordance
1407 with the provisions of chapter 54.

1408 (e) (1) Any person who violates the provisions of this section or any

1409 regulations adopted under this section shall, for a first violation, have
1410 committed an infraction. (2) The commissioner may impose a civil
1411 penalty on any person for a second or subsequent violation of the
1412 provisions of this section or any regulations adopted under this section
1413 if the acts or conduct on which the conviction is based arise out of the
1414 operation of a motor vehicle in intrastate commerce and would, if such
1415 acts or conduct had occurred with respect to operation of a motor
1416 vehicle in interstate commerce, have subjected such person to a civil
1417 penalty under the provisions of [the Code of Federal Regulations, Title
1418 49, Parts 382, 383 and 385 to 397] 49 CFR 382 to 397, inclusive, as
1419 amended. The commissioner may adopt regulations, in accordance
1420 with the provisions of chapter 54, to specify the amount of such civil
1421 penalty provided such amount shall not exceed the amount specified
1422 for the comparable violation under the applicable federal regulations,
1423 or ten thousand dollars, whichever is less. Any person notified of the
1424 assessment of a civil penalty under the provisions of this subsection
1425 shall be entitled to an opportunity for an administrative hearing in
1426 accordance with the provisions of chapter 54. If any person fails to
1427 comply with the terms of a final decision and order of the
1428 commissioner made pursuant to this subsection, the commissioner
1429 may suspend any motor vehicle registration issued to such person or
1430 such person's privilege to register any motor vehicle in this state until
1431 such person complies with the terms of such final decision and order.

1432 Sec. 17. Section 14-250 of the general statutes is repealed and the
1433 following is substituted in lieu thereof (*Effective January 1, 2005*):

1434 (a) The operator of each commercial motor vehicle transporting
1435 passengers, [motor bus,] service bus or of each motor vehicle used for
1436 the transportation of school children and the operator of each
1437 commercial motor vehicle with a cargo tank or carrying hazardous
1438 materials, as defined in section 14-1, as amended by this act, whether
1439 loaded or empty, before crossing at grade any track or tracks of a
1440 railroad, shall stop such vehicle not less than [ten] fifteen feet nor more
1441 than fifty feet from the nearest rail of such track, and, while so
1442 stopped, shall listen and look in each direction along such track or

1443 tracks for approaching locomotives or trains before crossing such track
1444 or tracks; and such operator shall not, in any event, cross such track or
1445 tracks when warned by automatic signal, crossing gates, flagman, law
1446 enforcement officer or otherwise of the approach of a railroad
1447 locomotive or train.(b) The operator of any motor vehicle specified in
1448 subsection (a) of this section shall not attempt to cross a railroad grade
1449 crossing if such vehicle cannot be driven completely through such
1450 crossing, without shifting gears, on account of its width or the
1451 clearance of its undercarriage.(c) The commissioner may adopt
1452 regulations ,in accordance with the provisions of chapter 54, to
1453 implement the provisions of this section, including exemptions for
1454 certain crossings that are allowed by the provisions of 49 CFR 392.10.

1455 (d) Any person who violates any provision of this section shall be
1456 fined not less than one hundred fifty dollars nor more than two
1457 hundred fifty dollars.

1458 Sec. 18. Subsection (a) of section 14-275c of the general statutes is
1459 repealed and the following is substituted in lieu thereof (*Effective*
1460 *January 1, 2005*):

1461 (a) The Commissioner of Motor Vehicles may, in accordance with
1462 the provisions of chapter 54, make, alter or repeal regulations
1463 governing the inspection, registration, operation and maintenance of
1464 school buses and the licensing of the operators of such vehicles. Such
1465 regulations shall incorporate the requirements of 49 CFR 383.123
1466 regarding the qualifications of each applicant for an endorsement to
1467 operate a school bus, issued in accordance with the provisions of
1468 section 14-44, as amended by this act.

1469 Sec. 19. Section 54-56g of the general statutes, as amended by
1470 sections 11 and 13 of public act 03-244 and section 177 of public act 03-
1471 6 of the June 30 special session, is amended by adding subsection (f) as
1472 follows (*Effective January 1, 2005*):

1473 (NEW) (f) The provisions of this section shall not be applicable in
1474 the case of any person charged with a violation of section 14-227a

1475 while operating a commercial motor vehicle, as defined in section 14-1,
1476 as amended by this act.

1477 Sec. 20. (NEW) (*Effective January 1, 2005*) (a) If any person who
1478 holds a commercial driver's license issued by another state is convicted
1479 of a violation of any provision of law related to motor vehicle traffic
1480 control, as reported to the Commissioner of Motor Vehicles by the
1481 centralized infractions bureau or any clerk of the Superior Court, the
1482 commissioner shall notify the licensing authority of such state where
1483 such person is licensed within thirty days of the date of such
1484 conviction.

1485 (b) If any person who holds a motor vehicle operator's license
1486 issued by any other state is convicted of a violation, arising out of the
1487 operation of a commercial motor vehicle, of any provision of law
1488 related to motor vehicle traffic control, as reported to the commissioner
1489 by the centralized infractions bureau or any clerk of the Superior
1490 Court, the commissioner shall notify the licensing authority of such
1491 state where such person is licensed within thirty days of the date of
1492 such conviction.

1493 (c) On and after September 30, 2008, the notification required by
1494 subsections (a) and (b) of this section shall be made within ten days of
1495 the date of such conviction.

1496 Sec. 21. (NEW) (*Effective July 1, 2004*) In any case where the
1497 Commissioner of Motor Vehicles is authorized or required by any
1498 section of title 14 of the general statutes to suspend the registration of a
1499 motor vehicle, the commissioner may, for the period that is specified
1500 for such suspension, suspend the privilege of the owner to transfer
1501 such suspended registration, to register any other motor vehicle or, in
1502 the case of a nonresident, to operate any motor vehicle on the
1503 highways of this state.

1504 Sec. 22. Subdivisions (82) and (83) of section 12-412 of the general
1505 statutes are repealed and the following is substituted in lieu thereof
1506 (*Effective January 1, 2005*):

1507 (82) (A) The sale of and the storage, use or other consumption of any
1508 commercial motor vehicle as defined in [subparagraphs (A) and (B) of
1509 subdivision (11) of] section 14-1, as amended by this act, that is
1510 operating pursuant to the provisions of section 13b-88 or 13b-89, as
1511 amended, during the period commencing upon its purchase and
1512 ending one year after the date of purchase provided seventy-five per
1513 cent of its revenue from its days in service is derived from out-of-state
1514 trips or trips crossing state lines.

1515 (B) Each purchaser of a commercial motor vehicle exempt from tax
1516 pursuant to the provisions of this subsection shall, in order to qualify
1517 for said exemption, present to the retailer a certificate, in such form as
1518 the commissioner may prescribe, certifying that seventy-five per cent
1519 of such vehicle's revenue from its days in service will be derived from
1520 out-of-state trips or trips crossing state lines. The purchaser of the
1521 motor vehicle shall be liable for the tax otherwise imposed if, during
1522 the period commencing upon its purchase and ending one year after
1523 the date of purchase, seventy-five per cent of the vehicle's revenue
1524 from its days in service is not derived from out-of-state trips or trips
1525 crossing state lines.

1526 (83) (A) The sale of and the storage, use or other consumption of any
1527 motor bus, as defined in [subdivision (44) of] section 14-1, as amended
1528 by this act, that is operating pursuant to the provisions of section 13b-
1529 88 or 13b-89, as amended, during the period commencing upon its
1530 purchase and ending one year after the date of purchase provided
1531 seventy-five per cent of its revenue from its days in service is derived
1532 from out-of-state trips or trips crossing state lines.

1533 (B) Each purchaser of a motor bus exempt from tax pursuant to the
1534 provisions of this subsection shall, in order to qualify for said
1535 exemption, present to the retailer a certificate, in such form as the
1536 commissioner may prescribe, certifying that seventy-five per cent of
1537 such bus's revenue from its days in service will be derived from out-of-
1538 state trips or trips crossing state lines. The purchaser of the motor bus
1539 shall be liable for the tax otherwise imposed if, during the period

1540 commencing upon its purchase and ending one year after the date of
1541 purchase, seventy-five per cent of the bus's revenue from its days in
1542 service is not derived from out-of-state trips or trips crossing state
1543 lines.

1544 Sec. 23. Subsection (a) of section 14-12b of the general statutes is
1545 repealed and the following is substituted in lieu thereof (*Effective*
1546 *January 1, 2005*):

1547 (a) No motor vehicle registration shall be issued by the
1548 commissioner for any private passenger motor vehicle, as defined in
1549 subsection (e) of section 38a-363, or a vehicle with a commercial
1550 registration, as defined in [subdivision (12) of] section 14-1, as
1551 amended by this act, unless (1) the application for registration is
1552 accompanied by a current automobile insurance identification card or
1553 a copy of a current insurance policy or endorsement issued by a
1554 company licensed to issue such insurance in this state or an approved
1555 self-insurer or issued pursuant to the plan established under section
1556 38a-329, verifying that the applicant has the required security
1557 coverage, and (2) the applicant signs and files with the commissioner,
1558 under penalty of false statement as provided for in section 53a-157b, a
1559 statement on a form approved by the commissioner that the owner of
1560 the vehicle has provided and will continuously maintain throughout
1561 the registration period the minimum security required by section 38a-
1562 371. In the case of an owner with a vehicle located outside of the
1563 United States or Canada, the commissioner may accept in lieu of the
1564 insurance identification card required to be presented for issuance of
1565 the registration, an affidavit, in such form as the commissioner shall
1566 require, executed by the owner and stating that the vehicle will not be
1567 operated in the United States or Canada. The commissioner may
1568 require an applicant for renewal of a motor vehicle registration for any
1569 private passenger motor vehicle or vehicle with a commercial
1570 registration to sign and file with the commissioner, under penalty of
1571 false statement as provided for in section 53a-157b, a statement on a
1572 form approved by the commissioner that the owner of the vehicle will
1573 continuously maintain throughout the registration period the

1574 minimum security required by said section 38a-371. Such form shall
1575 call for and contain the name of the applicant's insurance company and
1576 policy number.

1577 Sec. 24. Section 14-12c of the general statutes is repealed and the
1578 following is substituted in lieu thereof (*Effective January 1, 2005*):

1579 The commissioner may at any time require any owner of a private
1580 passenger motor vehicle or a vehicle with a commercial registration, as
1581 defined in [subdivision (12) of] section 14-1, as amended by this act, to
1582 submit further information to verify the required security coverage
1583 within the time specified by the commissioner. If the commissioner is
1584 unable to verify the insurance information furnished, the
1585 commissioner shall, unless such registrant has been reported as
1586 cancelled in accordance with sections 38a-343, 38a-343a, 14-12c and 14-
1587 12f to 14-12i, inclusive, afford such owner an opportunity for a hearing
1588 in accordance with chapter 54 to determine whether such owner's
1589 application for registration contains a material false statement or
1590 whether he has failed to continuously maintain the security required
1591 under section 38a-371. If the commissioner finds that the owner did
1592 not have the required security in effect on the date of registration, or
1593 that such owner presented a false or fraudulent insurance
1594 identification card to the commissioner, the application for registration
1595 shall be deemed to contain a material false statement. Any registration
1596 issued as a result of such application shall be void from the date of
1597 issue and the registration number plates shall be surrendered to the
1598 commissioner or shall be subject to confiscation in accordance with the
1599 provisions of section 14-12h. If the commissioner finds that the owner
1600 had the required security in effect at the time such application was
1601 submitted but failed to maintain it continuously during the
1602 registration period, he shall cancel any registration issued as a result of
1603 such application and the registration number plates shall be
1604 surrendered to the commissioner or shall be subject to confiscation in
1605 accordance with the provisions of section 14-12h. No new registration
1606 for any motor vehicle, the registration of which has been cancelled
1607 under this section, may be obtained except as provided by section 14-

1608 12h.

1609 Sec. 25. Subsection (a) of section 14-15a of the general statutes is
1610 repealed and the following is substituted in lieu thereof (*Effective*
1611 *January 1, 2005*):

1612 (a) Each passenger motor vehicle, as defined in [subsection (40) of]
1613 section 14-1, as amended by this act, which is leased or rented for a
1614 period of more than thirty days in a calendar year primarily for use in
1615 this state shall be registered in this state in accordance with the
1616 provisions of section 14-12. For the purpose of this section, such period
1617 shall include all times during which such vehicle may be absent from
1618 the state while being used on a daily round-trip basis.

1619 Sec. 26. Subdivision (3) of section 14-165 of the general statutes is
1620 repealed and the following is substituted in lieu thereof (*Effective*
1621 *January 1, 2005*):

1622 (3) "Identification number" means the vehicle identification number
1623 of a motor vehicle, as defined in [subdivision (91) of subsection (a) of]
1624 section 14-1, as amended by this act.

1625 Sec. 27. Subsection (a) of section 14-168a of the general statutes is
1626 repealed and the following is substituted in lieu thereof (*Effective*
1627 *January 1, 2005*):

1628 (a) Notwithstanding the provisions of any section of the general
1629 statutes to the contrary, a used car dealer licensed in accordance with
1630 the provisions of section 14-52 who enters into a contract with a
1631 manufacturer of equipment or parts used in the assembly of a wrecker,
1632 including a flatbed wrecker, as defined in [subdivision (65) of] section
1633 14-1, as amended by this act, or used in the assembly of a special
1634 purpose body to a cab and chassis, including a body for a refuse
1635 compactor, transit mixer, dump truck, tank truck or other vehicle
1636 designed for the transportation of bulk materials or to which
1637 machinery is attached, and who purchases from a new car dealer
1638 licensed in accordance with the provisions of section 14-52 any new

1639 chassis, cab or other portion of an incomplete motor vehicle for such
1640 purpose, may sell or offer for sale such wrecker or other motor vehicle
1641 as a new motor vehicle provided all parts of any such wrecker or other
1642 motor vehicle are new.

1643 Sec. 28. Subsection (a) of section 14-267b of the general statutes is
1644 repealed and the following is substituted in lieu thereof (*Effective*
1645 *January 1, 2005*):

1646 (a) The provisions of subdivisions (1), (2), (3), (4) and (7) of
1647 subsection (b) of section 14a-267a shall not apply to any motor bus, as
1648 defined in [subdivision (44) of subsection (a) of] section 14-1, as
1649 amended by this act, if such motor bus complies with the weight limits
1650 specified in 23 CFR 658.17.

1651 Sec. 29. Subsection (a) of section 14-279 of the general statutes is
1652 repealed and the following is substituted in lieu thereof (*Effective*
1653 *January 1, 2005*):

1654 (a) The operator of any vehicle, motor vehicle, or authorized
1655 emergency vehicle, as defined in [subdivision (4) of subsection (a) of]
1656 section 14-1, as amended by this act, shall immediately bring such
1657 vehicle to a stop not less than ten feet from the front when
1658 approaching and not less than ten feet from the rear when overtaking
1659 or following any registered school bus on any highway or private road
1660 or in any parking area or on any school property when such bus is
1661 displaying flashing red signal lights, except at the specific direction of
1662 a traffic officer. Vehicles so stopped for a school bus shall not proceed
1663 until such bus no longer displays flashing red signal lights. At the
1664 intersection of two or more highways vehicular turns toward a school
1665 bus receiving or discharging passengers are prohibited. The operator
1666 of a vehicle upon a highway with separate roadways need not stop
1667 upon meeting or passing a school bus which is on a different roadway.

1668 Sec. 30. Subsection (c) of section 14-290 of the general statutes is
1669 repealed and the following is substituted in lieu thereof (*Effective*
1670 *January 1, 2005*):

1671 (c) Any wrecker, as defined in [subdivision (90) of] section 14-1, as
1672 amended by this act, shall be exempt from the provisions of section 14-
1673 267a, as amended, provided such wrecker is in the course of towing or
1674 hauling a disabled motor vehicle from the point where such vehicle
1675 became disabled and does not exceed any of the weight limits
1676 provided in section 14-267a, as amended, by more than twenty per
1677 cent.

1678 Sec. 31. Section 14-325a of the general statutes is repealed and the
1679 following is substituted in lieu thereof (*Effective January 1, 2005*):

1680 Any person licensed under section 14-319 to dispense motor fuel for
1681 sale to the public for any motor vehicle, as defined in [subdivision (47)
1682 of] section 14-1, as amended by this act, except any such person who is
1683 licensed to so dispense such fuel at a retail food store which he owns
1684 and operates and which dispenses less than ten thousand gallons of
1685 gasoline in any one month, shall provide for free public use an air
1686 compressor for the purpose of tire inflation during the hours such
1687 premises are open for business. Each such licensee shall post a sign in a
1688 conspicuous location upon the premises and in such form as the
1689 commissioner may require, informing the public of the availability of
1690 an air compressor for free public use during the hours such premises
1691 are open. Such compressor shall be capable of producing at least
1692 eighty pounds per square inch pressure at the outlet.

1693 Sec. 32. Subdivision (1) of subsection (d) of section 38a-790 of the
1694 general statutes is repealed and the following is substituted in lieu
1695 thereof (*Effective January 1, 2005*):

1696 (1) "Motor vehicle" is defined as provided in [subsection (30) of]
1697 section 14-1, as amended by this act.

1698 Sec. 33. Section 42-179b of the general statutes, as amended by
1699 section 146 of public act 03-6 of the June 30 special session, is repealed
1700 and the following is substituted in lieu thereof (*Effective January 1,*
1701 *2005*):

1702 Each motor vehicle dealer, as defined in [subsection (11) of] section
1703 14-1, as amended by this act, and each person engaged in the business
1704 of leasing new motor vehicles shall, at the time of sale or execution of
1705 the lease of any new motor vehicle, deliver to the consumer, as defined
1706 in subdivision (1) of subsection (a) of section 42-179, of such vehicle
1707 written information, in a form approved by the Commissioner of
1708 Consumer Protection, which explains the new automobile warranty
1709 and dispute settlement program established pursuant to this chapter.

1710 Sec. 34. Subdivisions (2) and (3) of section 42-220 of the general
1711 statutes are repealed and the following is substituted in lieu thereof
1712 (*Effective January 1, 2005*):

1713 (2) "Motor vehicle" means a motor vehicle, as defined in
1714 [subdivision (30) of] section 14-1, as amended by this act;

1715 (3) "Used motor vehicle" means a used or secondhand motor
1716 vehicle, as defined in [subdivision (62) of] section 14-1, as amended by
1717 this act.

1718 Sec. 35. Section 14-44a of the general statutes is repealed and the
1719 following is substituted in lieu thereof (*Effective January 1, 2005*):

1720 (a) No person may drive a commercial motor vehicle on the
1721 highways of this state unless the person holds a commercial driver's
1722 license issued by this state or another state, with applicable
1723 endorsements valid for the vehicle he is driving.

1724 (b) The provisions of subsection (a) of this section shall not apply to
1725 (1) the holder of a commercial driver's instruction permit when
1726 accompanied in the vehicle by the holder of a commercial driver's
1727 license, or (2) any military personnel who operate commercial motor
1728 vehicles solely in connection with their military duties, in accordance
1729 with 49 CFR 383.3(c).

1730 (c) Any person who violates the provisions of subsection (a) of this
1731 section shall operate a motor vehicle in violation of the classification of

1732 the license issued to him, and shall be subject to the penalties provided
 1733 in subsection (d) of section 14-36a, as amended.

This act shall take effect as follows:	
Section 1	<i>January 1, 2005</i>
Sec. 2	<i>January 1, 2005</i>
Sec. 3	<i>January 1, 2005</i>
Sec. 4	<i>January 1, 2005</i>
Sec. 5	<i>January 1, 2005</i>
Sec. 6	<i>January 1, 2005</i>
Sec. 7	<i>January 1, 2005</i>
Sec. 8	<i>January 1, 2005</i>
Sec. 9	<i>January 1, 2005</i>
Sec. 10	<i>January 1, 2005</i>
Sec. 11	<i>January 1, 2005</i>
Sec. 12	<i>January 1, 2005</i>
Sec. 13	<i>July 1, 2004</i>
Sec. 14	<i>July 1, 2004</i>
Sec. 15	<i>January 1, 2005</i>
Sec. 16	<i>January 1, 2005</i>
Sec. 17	<i>January 1, 2005</i>
Sec. 18	<i>January 1, 2005</i>
Sec. 19	<i>January 1, 2005</i>
Sec. 20	<i>January 1, 2005</i>
Sec. 21	<i>July 1, 2004</i>
Sec. 22	<i>January 1, 2005</i>
Sec. 23	<i>January 1, 2005</i>
Sec. 24	<i>January 1, 2005</i>
Sec. 25	<i>January 1, 2005</i>
Sec. 26	<i>January 1, 2005</i>
Sec. 27	<i>January 1, 2005</i>
Sec. 28	<i>January 1, 2005</i>
Sec. 29	<i>January 1, 2005</i>
Sec. 30	<i>January 1, 2005</i>
Sec. 31	<i>January 1, 2005</i>
Sec. 32	<i>January 1, 2005</i>
Sec. 33	<i>January 1, 2005</i>
Sec. 34	<i>January 1, 2005</i>
Sec. 35	<i>January 1, 2005</i>

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Joint Favorable Subst. C/R

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